

O P E Docket No.: 43888-105

PATENT

SEP 09 2003

In re Application of

Kohei SUZUKI, et al.

Serial No.: 09/845,265

Filed: May 01, 2001

: Customer Number: 20277

: Confirmation Number: 3094

: Group Art Unit: 1746

: Examiner: Gentle E. WINTER

For: NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY AND NEGATIVE
ELECTRODE FOR THE SAME

RECEIVED
SEP 10 2003
TC 1700
AB
GK/B
10/3

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Restriction Requirement
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

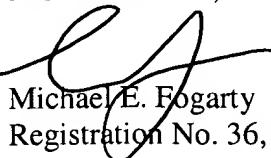
Sir:

Noting the Office Action of August 20, 2003 wherein restriction has been required, Applicant(s) hereby elect Group I (claims 1-13, drawn to a non-aqueous electrolyte secondary battery and its electrode) for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

MCDERMOTT, WILL & EMERY


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Date: September 9, 2003